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C O N F I D E N T I A L SECTION 01 OF 02 HONG KONG 001072

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DEPARTMENT FOR EAP, EAP/CM
NSC FOR DENNIS WILDER

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SUBJECT: ARTICLE 45 CONCERN GROUP FORMS HONG KONG'S NEWEST
POLITICAL PARTY

REF: HONG KONG 641

Classified By: E/P Section Chief Simon Schuchat; Reasons 1.4 (b, d)

11. (C) Summary: On March 19, Hong Kong's Article 45 Concern Group plans to announce the formal inauguration of its new political party, the "Civic Party," with Article 45 co-founder and Legislative Councilor Audrey Eu as the party's first parliamentary leader. Two independent democrats in the Legislative Council (Legco), Fernando Cheung and Mandy Tam, already have joined the new party, bringing its total number of Legco members to six. The party intends to defer consideration of any possible merger with the Democratic Party until after the 2008 Legco election. Article 45 Concern Group founding member and Legislative Councilor Margaret Ng told the Consul General that the most important task for the new party would be to build a popular base which could be mobilized to influence government planning and actions. Similarly, Article 45 Concern Group Legco member Alan Leong said the new party would focus on issues affecting the "well-being" of the Hong Kong people in practical terms. End Summary.

12. (SBU) On March 15, the Hong Kong press reported that the Article 45 Concern Group, an organization originally formed in 2003 by a group of prominent Hong Kong lawyers and legal academics as the "Article 23 Concern Group," would formally establish the "Civic Party" on March 19. The press also reported that Article 45 co-founder and Legislative Councilor Audrey Eu would be elected "party leader," while City University Professor Kuan Hsin-chi would be designated "party chairman." Some of the media also reported that Fernando Cheung, an independent democrat who represents the social welfare functional constituency in the Legco and who recently joined the Article 45 Concern Group, would be named Civic Party Vice Chairman, while City University Professor Joseph Cheng -- formerly an advisor to the Democratic Party -- would become party secretary.

Six Legco Members

13. (C) On March 1, Professor Cheng told E/P Chief and poloff that Legco members Cheung and Mandy Tam, who represents the accounting functional constituency, already had joined the new party, bringing its total number of Legco members to six. He said the Article 45 Concern Group was approaching other independent legislators to join the new party, but was unsure if any more would join; Joseph Lee of the health services functional constituency already had declined. Cheng said the new Civic Party would have a structure similar to that of the British Labor Party, with an executive committee of approximately twenty people, of whom no more than one third would be legislators. This, he said, would keep the party

more grounded in grass roots issues and less focused on political campaigns. He also said there would be no consideration of merger with the Democratic Party until after the 2008 Legco election, because it was more important for the party to address the overall aims of the democratic movement rather than become enmeshed in inter-party bickering among the democrats.

At the same time, Cheng believed that multiple parties competing for the same pool of democratic votes would not bring Hong Kong any closer to universal suffrage.

Building a Popular Base

14. (C) On March 13, Article 45 Concern Group founding member and Legislative Councilor Margaret Ng told the Consul General that the most important task for the new party would be to build a popular base, which then could be mobilized to influence government planning and actions. She said the Government's freedom to act and to dispense rewards without reference to the political parties currently rendered such a strategy difficult. In Ng's view, the new party would provide a means to work with and develop civil society to take concerted political action, as in the case of the controversial West Kowloon Cultural District proposal, which the Government now has withdrawn. She said the party's six Legco members were discussing how they would set positions and take action as a party; she believed the upcoming debate over the Government's budget would compel them to address numerous issues.

Focus on Practical Issues

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15. (C) On March 6, Article 45 Concern Group Legco member Alan Leong told the Consul General that formation of the new party had been delayed somewhat by the requirement under Hong Kong law that political parties should be formed as "limited companies," which he said was "quite ridiculous." The party, which he jokingly said had "too many lawyers," already had drafted its manifesto and articles of association. Leong described Hong Kong society as a "three-legged stool" that currently has only two legs in place, the government and the business sector. The third leg, which should be the public, was lacking, and the new Civic Party would attempt to fill that gap. The key issues on which the new party would focus would be those affecting the "well-being" of the Hong Kong people in practical terms. For example, if the Article 45 Concern Group legislators discussed "rule of law" or "protection of freedom" in the abstract, they would not enjoy a very attentive response from the public. If, however, they framed their discussion in more practical terms, such as preventing abuse of police powers to tap telephones, then the public would be more responsive. Leong said the current problem of "governance" in Hong Kong was due to this "disconnect" between the SAR Government and the people.

16. (C) Questioned on the new party's relationship with the Democratic Party (ref), Leong said that as a matter of "political reality," if the democrats wanted to engage the Government effectively on the issue of universal suffrage, then they would need to "stand together." On other issues, such as tax, pollution, and regulation of electric power companies, however, there was no need for the various democrats to adopt common positions. "Followers of the democratic cause" in Hong Kong were abundant, but many did not find the Democratic Party attractive. During his own Legco election campaign in 2004, Leong said many of his constituents told him they would have abstained from voting if the only pro-democracy candidate had been from the Democratic Party. In other words, he said, the pro-democracy pie was expanding, but part of that pie could not be taken by the Democratic Party.

